

**Proposed Revisions To The Applicability Provisions
Of The Statewide Portable Equipment
Registration Regulation
5/9/03**

2451. Applicability.

- (c) The following are not eligible for registration under this program:
- (1) any engine used to propel mobile equipment or a motor vehicle of any kind;
 - (2) any portable engine or equipment unit used exclusively in agricultural operations as defined in California Health and Safety Code section 42310 (e);
 - (3) any engine or equipment unit not meeting the definition of portable as defined in section 2452 (x) of this regulation;
 - (4) any equipment unit determined by the Executive Officer to qualify as part of a stationary source permitted by a district. Examples include, but are not limited to: crushing plants at rock quarries, screening plants at aggregate production facilities, grinding units at landfills or waste processing facilities;
 - (5) any portable engine or equipment unit subject to an applicable federal Maximum Achievable Control Technology standard, or National Emissions Standard for Hazardous Air Pollutants, or federal New Source Performance Standard, except for equipment units subject to 40 CFR Part 60 Subpart OOO (Standards of Performance for Nonmetallic Mineral Processing Plants);
 - (6) any portable engine or equipment unit operating within the boundaries of the California Outer Continental Shelf (OCS). [Note: This shall not prevent statewide registration of engines and equipment units already permitted by a district for operation in the OCS. Such statewide registration shall only be valid for operation onshore and in State Territorial Waters (STW).];

- (7) any dredging operation in the Santa Barbara Harbor; ~~and~~
- (8) any dredging unit owned by a single port authority, harbor district, or similar agency in control of a harbor, and operated only within the same harbor;
- (9) generators used for power production into the grid;
- (10) generators used to provide primary or backup power to a stationary source or stationary equipment, except for purposes of maintenance and/or repair operations, and essential public services;
- (11) engines used to power equipment units that are ineligible as specified in section 2451(c)(4);
- (12) engines used in conjunction with equipment that is ineligible for registration including, but not limited to: boilers, heaters, hot mix asphalt plants, and soil remediation units;
- (13) engines and/or equipment units at permanent material transfer stations that are used for the processing of such material; and
- (14) engines or equipment units that return to the same location each year on a scheduled basis to perform the same function, except for maintenance and/or repair operations.

2450. Purpose.

These regulations establish a statewide program for the registration and regulation of portable engines and engine-associated equipment (portable engines and equipment units) as defined herein. Portable engines and equipment units registered under the Air Resources Board program may operate throughout the State of California without authorization (except as specified herein) or permits from air quality management or air pollution control districts (districts). These regulations preempt districts from permitting, registering, or regulating portable engines and equipment units, including equipment necessary for the operation of a portable engine (e.g., fuel tanks), registered with the Executive Officer of the Air Resources Board except in the circumstances specified in the regulations.

2452 Definitions

(h) **Equipment Unit** means equipment that emits air contaminants only PM₁₀ emissions from its own process or operation, over and above those emitted from the portable engine, and is associated with, and driven solely by, any portable engine. Equipment units may include equipment necessary for the operation of a portable engine (e.g., fuel tanks).

(pp) Essential Public Services includes publicly owned sewage treatment facilities, prisons, police facilities, fire fighting facilities, schools, hospitals, landfill gas control or processing facilities, water delivery operations, and public transit.